

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NATHANIEL SHAFER,

Petitioner,

v.

THE STATE OF WASHINGTON,

Respondent.

NO: 2:14-CV-00219-TOR

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING HABEAS PETITION

BEFORE THE COURT is Magistrate Judge Hutton's Report and Recommendation (ECF No. 4) to Dismiss the Habeas Petition (ECF No. 1). Petitioner, a prisoner at the Airway Heights Corrections Center, is proceeding *pro se* and has paid the \$5.00 filing fee for this action; Respondent has not been served.

On September 24, 2014, Magistrate Judge Hutton recommended the Petition be dismissed with prejudice as untimely under 28 U.S.C. § 2244(d), and for lack of personal jurisdiction over the named Respondent. *See* Rule 2(a), Rules Governing Section 2254 Cases in the United States District Courts; *Stanley v. California*

1 *Supreme Court*, 21 F.3d 359, 360 (9th Cir. 1994). There being no objections, the
2 Court **ADOPTS** the Report and Recommendation (ECF No. 4).

3 Accordingly, **IT IS ORDERED** the Petition (ECF No. 1) is **DISMISSED**
4 **WITH PREJUDICE** as untimely and for lack of personal jurisdiction.

5 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
6 Order, enter **JUDGMENT** for Respondent, forward copies to Petitioner at his last
7 known address and **CLOSE** the file. The Court further certifies that there is no
8 basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed.
9 R.App. P. 22(b).

10 **DATED** October 20, 2014.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge